



Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Christopher F. Claiborne, et al.	<b>DOCKETED</b> JUL 18 2002 KATHLEEN KLUTKOWSKI	Art Unit:	
Serial No.:	09/741,388		Case No.:	2082DA 3525
Filed:	December 20, 2000		Examiner:	P.L. Morris
For:	SUBSTITUTED IMIDAZOLES HAVING CYTOKINE INHIBITORY ACTIVITY			

The Honorable Assistant Commissioner for Patents  
Washington, D.C. 20231

**PETITION UNDER 37 CFR 1.181(a) TO  
WITHDRAW HOLDING OF ABANDONMENT**

Sir:

In response to the Notice of Abandonment mailed July 10, 2002 for which the deadline to respond is August 10, 2002, Applicants respectfully petitions under 37 CFR 1.181(a) to withdraw the Examiner's holding of abandonment for Applicants' alleged failure to respond to the Office letter mailed November 16, 2002.

Applicants respectfully enclose a copy of the Response to Restriction Requirement that was mailed November 21, 2001 in response to the Restriction Requirement mailed November 16, 2001. On the November 21 Response is a certification by the below signed Attorney for Applicants that the Response was deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on November 21, 2001. The same certification is repeated on the signature page 2 of the Response. Also enclosed is a copy of the return postcard mailed with the Response. Applicants, however, have not received the return postcard showing receipt by the Patent Office. It appears that the Response was lost in the unfortunate circumstances following the September 11 tragedies.

Applicants respectfully submit that a timely Response was made to the November 16, 2001 Restriction Requirement and respectfully requests withdrawal of the Examiner's holding of abandonment.

Attorney for Applicants can be reached at the telephone number and address

hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date appearing below.

MERCK & CO., INC.

*John M. Lee* Date July 18, 2002

below. Correspondence should continue to be sent to the address below. Any additional fees or deficiency in fees required should be taken from Merck Deposit Account No. 13-2755.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date appearing below.

MERCK & CO., INC.

By Shu M. Lee Date July 18, 2002

Respectfully submitted,

By Shu M. Lee

Shu M. Lee

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Date: July 18, 2002